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DISTRICT COURT
CLARK COUNTY, NEVADA

ALVARO ESPINOZA, individually,

Plaintiffs,

vs.

HOME DEPOT MANAGEMENT COMPANY,
LLC, a Foreign Limited-Liability Company d/b/a
THE HOME DEPOT; HOME DEPOT USA,
INC., a Foreign Limited-Liability Company d/b/a
THE HOME DEPOT; DOES 1-10, and ROE
CORPORATIONS 1-10, inclusive,

Defendants.

CASE NO.: 2:24-cv-2278-APG-BNW

**PROPOSED DISCOVERY PLAN AND
SCHEDULING ORDER**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

The parties held a scheduling conference under Federal Rule of Civil Procedure 26(f) on January 22, 2025, with Caitlin Lorelli, Esq. of Brock K. Ohlson PLLC appearing for Plaintiff and Kevin Smith, Esq. of Hall Jaffe, LLP appearing for Defendants.

The parties now submit their proposed discovery plan and scheduling order in compliance with LR 26-1(b) and request Special Scheduling Review. This matter was initially filed in the Eighth Judicial District Court on November 7, 2024. Defendants filed their Notice of Removal on December 9, 2024 and the Court issued an Order to Show Cause Why This Action Should Not Be Remanded for Lack of Subject Matter Jurisdiction on December 11, 2024. Defendants thereafter filed their

Statement of Removal on December 20, 2024, Answer on December 31, 2024, and Brief to Show Cause Why This Action Should Not Be Remanded for Lack of Subject Matter Jurisdiction on January 8, 2025. Plaintiff also filed his Motion to Remand on January 8, 2025. Thereafter, on January 13, 2025, the Court issued an Order Deeming Order to Show Cause Satisfied and Denying Motion to Remand.

After discussing the foregoing timeline, the amount in controversy, and Defendants' position regarding confidentiality, the parties agree that additional time for discovery is necessary. The parties propose a discovery period of 9 months from the date the Court issued its Order Deeming Order to Show Cause Satisfied and Denying Motion to Remand. The below suggested dates reflect the same.

1. Discovery Cut-Off Date. The first defendant answered or otherwise appeared on December 31, 2024. The discovery cut-off date is Monday, October 13, 2025.¹

2. Amending the Pleadings and Adding Parties. The deadline to amend the pleadings and add parties is Tuesday, July 15, 2025.²

3. Expert and Rebuttal-Expert Disclosures. The deadline to disclose initial experts is Thursday, August 14, 2025.³ The deadline to disclose rebuttal experts is Monday, September 15, 2025.⁴

4. Dispositive Motions. The deadline to file dispositive motions is Wednesday, November 12, 2025.⁵

5. Pretrial Order. The deadline to file a pretrial order is Friday, December 12, 2025.⁶

6. Fed. R. Civ. P. 26(a)(3). The disclosures required by this rule and any objections to them must be included in the joint pretrial order.

7. Alternative Dispute Resolution. The parties certify that they met and conferred about the possibility of using alternative dispute-resolution processes including mediation, arbitration, and if

¹ 9 months after the Order Deeming Order to Show Cause Satisfied and Denying Motion to Remand was issued on January 13, 2025.

² 90 days before the discovery cut-off date.

³ 60 days before the discovery cut-off date

⁴ 30 days before the discovery cut-off date.

⁵ 30 days after the discovery cut-off date

⁶ 30 days after the dispositive motion deadline.

1 applicable, early neutral evaluation. The parties agree that settlement discussions are premature at
2 this time but are willing to discuss the same once applicable.

3 8. Alternative Forms of Case Disposition. The parties certify that they considered consent to
4 trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short
5 Trial Program (General Order 2013-01). The parties do not consent to the same.

6 9. Electronic Evidence. The parties certify that they discussed whether to present evidence
7 in electronic format to jurors for the purpose of jury deliberations. The parties agree to provide
8 discovery in an electronic format compatible with the court's electronic jury evidence display system

9 IT IS SO STIPULATED.

10 Dated this 7th day of February, 2025.

Dated this 7th day of February, 2025.

11 BROCK K. OHLSON PLLC

HALL JAFFE, LLP

12
13 /s/ Caitlin Lorelli
14 CAITLIN J. LORELLI, ESQ.
15 Nevada Bar No. 14571
6060 Elton Avenue
Las Vegas, Nevada 89107
Attorneys for Plaintiff

/s/ Kevin S. Smith
KEVIN S. SMITH, ESQ.
Nevada Bar No. 7184
7425 Peak Drive
Las Vegas, Nevada 89128
Attorneys for Defendants

16
17
18 Given the prolonged period of discovery, the Court is not inclined to grant future continuances.
19 **IT IS SO ORDERED.**

20
21 
22 _____
23 **UNITED STATES MAGISTRATE JUDGE**

24 **DATED:** February 10, 2025
25
26
27
28

Laura Bolduc

From: Kevin Smith <ksmith@halljaffe.com>
Sent: Friday, February 7, 2025 2:33 PM
To: Caitlin Lorelli; Lori-Anne Harrison
Cc: Laura Bolduc; Steve Jaffe; Marianne Sylva; Angelica Murillo
Subject: RE: Espinoza v. Home Depot Management Company et al

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We're okay with the discovery order. Minor issue, Jaffe has an "E" on the end.
You can sign for me electronically for the Home Depot entities.

Kevin S. Smith, Esq.
Attorney



HALL | JAFFE
ATTORNEYS AT LAW

7425 Peak Drive
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Phone: 702.316.4111
Email: ksmith@halljaffe.com

**** Please note that as of July 1, 2023 my email will be changing from ksmith@lawhjc.com to ksmith@halljaffe.com , please update your records****

From: Caitlin Lorelli <Caitlin@injured.vegas>
Sent: Friday, February 7, 2025 1:49 PM
To: Kevin Smith <ksmith@halljaffe.com>; Lori-Anne Harrison <LHarrison@halljaffe.com>
Cc: Laura Bolduc <laura@injured.vegas>; Steve Jaffe <sjaffe@halljaffe.com>; Marianne Sylva <msylva@halljaffe.com>; Angelica Murillo <Amurillo@halljaffe.com>
Subject: RE: Espinoza v. Home Depot Management Company et al

Hi Kevin,

I can talk on Monday regarding the proposed protective order.

As for the DPSO, it was due on 2/5. Is there anyway you can reach Steve today by phone?

Best,

Caitlin

Caitlin J. Lorelli, Esq.



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From: Kevin Smith <ksmith@halljaffe.com>

Sent: Friday, February 7, 2025 11:01 AM

To: Lori-Anne Harrison <LHarrison@halljaffe.com>; Caitlin Lorelli <Caitlin@injured.vegas>

Cc: Laura Bolduc <laura@injured.vegas>; Steve Jaffe <sjaffe@halljaffe.com>; Marianne Sylva <msylva@halljaffe.com>; Angelica Murillo <Amurillo@halljaffe.com>

Subject: RE: Espinoza v. Home Depot Management Company et al

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Caitlin:

Following up on the protective order. We received your initial disclosures, but we would like to have the protective order in place so we can provide you with certain documents as part of our disclosures. Please advise if you feel any changes are needed.

I also received your proposed discovery scheduling order. I need to ask Steve 1 thing, but he's out of the office today. I hope to get back with you early next week.

I'm in the office today if you would like to talk.

Kevin S. Smith, Esq.
Attorney



7425 Peak Drive

Las Vegas, NV 89128

Phone: 702.316.4111

Email: ksmith@halljaffe.com

**** Please note that as of July 1, 2023 my email will be changing from ksmith@lawhjc.com to ksmith@halljaffe.com , please update your records****

From: Lori-Anne Harrison <LHarrison@halljaffe.com>

Sent: Tuesday, February 4, 2025 8:51 AM

To: Caitlin Lorelli <Caitlin@injured.vegas>

Cc: laura@injured.vegas; Steve Jaffe <sjaffe@halljaffe.com>; Kevin Smith <ksmith@halljaffe.com>; Marianne Sylva <msylva@halljaffe.com>; Angelica Murillo <Amurillo@halljaffe.com>

Subject: Espinoza v. Home Depot Management Company et al

Good Morning Catilin,

Attached is a Draft Confidentiality Stipulation and Protective Order for your review.

Please let me know if you have any changes, or in the alternative, if I have your authority to affix your electronic signature.

Thank you,
Lori

Lori-Anne Harrison

Paralegal to Steven Jaffe, Esq.



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